

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

Lordstown Motors Corp., *et al.*¹

Debtors.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

Re: Docket No. 182

**DECLARATION IN SUPPORT OF RETENTION OF
FTI CONSULTING TECHNOLOGY LLC
AS PROFESSIONAL UTILIZED IN ORDINARY COURSE OF BUSINESS**

Pursuant to 28 U.S.C. § 1746, David Grant declares as follows:

1. I am a Senior Managing Director with FTI Consulting Technology LLC (“FTI” or the “Firm”), which has been retained by one or more of the debtors or debtors in possession (collectively, the “Debtors”), in the above-captioned chapter 11 cases (the “Chapter 11 Cases”), in the ordinary course of the Debtors’ businesses. The Debtors wish to retain FTI to continue providing ordinary course services during the Chapter 11 Cases, and FTI has consented to provide such services. This Declaration is submitted in compliance with the *Order (A) Authorizing Retention and Payment of Professionals Utilized in the Ordinary Course of Business and (B) Granting Other Related Relief* (the “Ordinary Course Professionals Order”). I have reviewed the Ordinary Course Professionals Order, and I understand the limitations on compensation and reimbursement under such order.

2. On March 25, 2021, the Debtors retained the Firm to provide litigation services related to an internal and SEC investigation” services (the “Services”). The Services include the

¹ The Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

following: data collection of electronic data, processing and hosting of electronic data and attorney contract document review services

3. FTI may have performed services in the past two (2) years, may currently perform services, and may perform services in the future in matters unrelated to the Chapter 11 Cases for persons that are parties in interest in the Chapter 11 Cases, including the parties listed on Exhibit A hereto. As part of its customary practice, FTI and its affiliates are retained in cases, proceedings, and transactions involving many different parties, some of whom may represent or be employed by the Debtors, claimants, and parties in interest in the Chapter 11 Cases. FTI does not perform services for any such person in connection with the Chapter 11 cases, or have any relationship with any such person, their attorneys, or their accountants that would be adverse to the Debtors or their estates.

4. Neither I nor any principal, partner, director, or officer of, or professional employed by, FTI has agreed to share or will share any portion of the compensation to be received from the Debtors with any other person other than the principal and regular employees of FTI.

5. Neither I nor any principal, partner, director, or officer of, or professional employed by, FTI, insofar as I have been able to ascertain, holds or represents any interest adverse to the Debtors or their estates with respect to the matter(s) upon which FTI is to be employed.

6. Please see **Exhibit B** below for FTI's full pricing sheet. FTI intends to bill the Debtors for professional services rendered in connection with the Chapter 11 Cases, in accordance with the Ordinary Course Professionals Order, with such bill to include compensation for services based on the hourly rates set forth below, plus reimbursement of actual and necessary expenses and other charges incurred by the Firm (as outlined in Exhibit B). The principal professionals designated to represent the Debtors and their current standard rates are:

	<u>Per Hour (USD)</u>
Senior Managing Directors	\$ - \$500-\$910
Directors / Senior Directors / Managing Directors	\$ - \$325- \$910
Consultants/Senior Consultants	\$ - \$225 - \$490
Administrative / Paraprofessionals	\$ - \$205

7. The rates set forth above are subject to periodic adjustments to reflect economic and other conditions. Such rates are the Firm's standard rates for work of this nature. The rates are set at a level designed to fairly compensate FTI for the work of its employees and to cover fixed and routine overhead expenses.

8. It is the Firm's policy to charge its clients for all other expenses incurred in connection with a client's representation. The expenses charged to clients include, in general, all identifiable expenses that would not have been incurred except for representation of a particular client. FTI will charge the Debtors for these expenses in a manner and at rates consistent with charges made generally to the Firm's other clients.

9. No representations or promises have been received by the FTI, nor by any principal, partner, director, officer, or professional thereof, as to compensation in connection with the Chapter 11 Cases other than in accordance with the provisions of the Bankruptcy Code.

10. As of June 27, 2023 (the "**Petition Date**"), the Debtors owed the Firm \$30,414.63 for fees and expenses incurred for prepetition services, the payment of which is subject to the limitations contained in the Bankruptcy Code and any orders of the Court.

11. As of the Petition Date, the Firm held a prepetition retainer of \$0.

12. FTI does keep time records in one-tenth of an hour increments in the ordinary course of business.

13. As of the Petition Date, the Firm's engagement letter contains standard indemnification terms with the Debtors. A copy of that agreement is attached hereto as Exhibit C.

14. At any time during the period of its retention during the pendency of the Chapter 11 Cases, if FTI should discover any facts bearing on the matters described herein, FTI will supplement the information contained in this Declaration.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 23, 2023



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